

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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EUGENE KINDELL,

Petitioner,

20 **CIVIL** 0304 (RA)

-against-

**JUDGMENT**

MICHAEL CAPRA,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated September 30, 2024, the petition for a writ of habeas corpus is dismissed. Because the petition makes no substantial showing of a denial of a constitutional right, the Court will not issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2); accordingly, the case is closed.

**DATED:** New York, New York  
September 30, 2024

**DANIEL ORTIZ**

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**Acting Clerk of Court**

**BY:**

  
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**Deputy Clerk**